



Attorney Docket No. 5470.107BDV3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **Thorp et al.** Group Art Unit: **1634**
Serial No.: **10/008,233** Examiner: **Arun K. Chakrabarti**
Filed: **November 6, 2001**
For: **Electrochemical Detection Of Nucleic Acid Hybridization**

December 31, 2003

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321

Sir:

I, Kenneth D. Sibley, am an attorney of record of the disclaimant, The University of North Carolina at Chapel Hill, and am authorized to execute this disclaimer on behalf of The University of North Carolina at Chapel Hill. The disclaimant, The University of North Carolina at Chapel Hill, having a principal place of business at 308 Bynum Hall, Campus Box 4105, Chapel Hill, North Carolina, is the owner of all right, title, and interest in the above-identified application, by Assignment recorded on September 9, 1996, and recorded at Reel 8235, Frame 19.

The disclaimant hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156, §173, and any other relevant statutory provision of U. S. Patent Number 6,132,971 issued October 17, 2000 (Attorney Docket No. 5470.107BDV), as presently shortened by any terminal disclaimer, which patent was assigned to the above-identified disclaimant by an Assignment recorded on September 9, 1996, and recorded at Reel 8235, Frame 19.

The disclaimant hereby also disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156, §173, and any other relevant statutory provision of U. S. Patent Number 6,346,387 issued February 12, 2002 (Attorney Docket No. 5470.296), as presently shortened by any terminal disclaimer, which

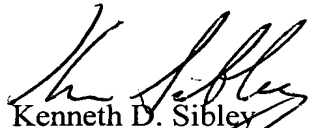
In re: Lee et al.
Serial No.: 10/349,351
Filed: January 22, 2003
Page 2

patent was assigned to the above-identified disclaimant by an Assignment recorded on November 8, 2001, and recorded at Reel 12297, Frame 632 and Reel 12296, Frame 886.

Disclaimant further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the patent granted on the above-identified application and U. S. Patent Number 6,132,971 issued October 17, 2000 and U.S. Patent Number 6,346,387 issued February 12, 2002 are commonly owned. This agreement runs with any patent granted on the above-identified application, and is binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application that is prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156 and §173 of U. S. Patent Number 6,132,971 issued October 17, 2000 (Attorney Docket No. 5470.107BDV) and U.S. Patent Number 6,346,387 issued February 12, 2002 (Attorney Docket No. 5470.296), as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any matter terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer.


Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mailstop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 31, 2003.


Lyndsey D. Hall, CP
Certified Paralegal